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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,945	04/13/2006	Jan Bergstrom	PU0378	7078
22840 7590 06/15/2009 GE HEALTHCARE BIO-SCIENCES CORP. PATENT DEPARTMENT 800 CENTENNIAL AVENUE PISCATAWAY, NJ 08855				
EXAMINER ZALASKY, KATHERINE M				
ART UNIT 1797		PAPER NUMBER		
MAIL DATE 06/15/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

As no amendments were made to the claims, they will be rejected as in the Final Office Action, dated 13 March 2009.

Response to Arguments

The Applicant has argued that Bergstrom et al. does not teach a continuous and smooth ligand gradient and that it would not be obvious to use a continuous and smooth ligand gradient on the support. Further, the Applicant argued that there has never been a suggestion that a continuous and smooth gradient could be achieved in the separation matrix itself. These arguments are not found persuasive because Bergstrom et al. discloses that the support may have layers which contain different types of ligands and that the degree of substitution of a ligand in one layer may be different than the degree of substitution of the same ligand in a different layer (C6/L16-26). This is a step-wise gradient of ligand density. Carlsson et al. discloses a planar support which teaches that gradients of ligands (immobilized capture reagent) on the support may be continuous or in bands and that ligand density may be varied along the support (C7/L8-24). Additionally, numerous other references describe different manners of controlling ligand density on a porous support. Gleason et al. (US 5,561,097) discloses how ligand density across the support may be optimized and Velander et al. (US 5,977,345) discloses how varying ligand concentrations may be achieved from the center of a particle to the exterior of the particle. Therefore, the argument that it is non-obvious to choose a smooth gradient from the options of a stepwise or smooth gradient is not persuasive.

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11 June 2009

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